UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YOR		
UNITED STATES OF AMERICA		13-CR-00539 (PGG)
- V		CYIDDI EMENITA I
RICHARD LEE.,		SUPPLEMENTAL AFFIDAVIT OF RICHARD LEE
Defendant.		
STATE OF ILLINOIS)) ss:	
COUNTY OF COOK)	

RICHARD LEE, being duly sworn, deposes and says:

- 1. I am the defendant in the above-captioned matter. I submit this Supplemental Affidavit in further support of my Motion to Withdraw Guilty Plea, together with my Reply Memorandum of Law. Unless otherwise stated, this Supplemental Affidavit is based upon my own personal knowledge.
- 2. I was approached by agents from the Federal Bureau of Investigation ("FBI") on Thursday, March 28, 2013 on my way home from work. Among other things, the agents told me that they wanted to question me about certain trades that I made while employed at SAC Capital.
- 3. During my discussion with the agents, they played for me a portion of a recording of a telephone conversation between Sandeep Aggarwal and myself wherein we discussed a partnership deal between Yahoo and Microsoft. The agents then informed me that, subsequent to the call with Mr. Aggarwal and on that very day, I purchased approximately 700,000 shares of Yahoo stock.
- 4. Also during my discussion with the agents, we talked about whether I would reach out to tell SAC Capital that the agents had approached me. The agents told me that reaching out to SAC would reduce my value to the agents as someone who could help them.

- 5. The facts relayed above are based both on my recollection, and on detailed notes that I prepared for my attorney on March 28, 2013 immediately following my discussion with the FBI. Because my notes were created for the purpose of communicating with my counsel and seeking advice, they are protected by the attorney-client privilege and I will not disclose them at this time.
- 6. I wish to reiterate that, had I known that I purchased 700,000 shares of Yahoo before my telephone call with Sandeep Aggarwal rather than after the call, I would not have pled guilty in this case.
- 7. Based on my initial Affidavit and Memorandum of Law in Support of my Motion to Withdraw Guilty Plea, as well as the foregoing and the accompanying Reply Memorandum, I respectfully request that the Court permit me to withdraw my guilty plea.

Dated:

Chicago, Illinois October 6, 2017

Richard Lee

Richard Lee

Subscribed and sworn to before me this 6th day of October 2017.

Notary Public

OFFICIAL SEAL
ADRIANA BARRENECHE
Notary Public - State of Illinois
My Commission Expires 8/06/2018